

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 08-10-28**

Date Published: October 23, 2008
For Work Week Commencing: October 27, 2008
Commission Meeting: October 28, 2008, 9:00 a.m.

General Introduction *This agenda is the Commission's Utility Division agenda for the work week designated. In the latter part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.*

Place of Meetings *All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.*

Live webcast *Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio and video feed links on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.*

Inquiries *General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.*

Accommodation for Persons with Disabilities *Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.*

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. BLACK HILLS POWER (BHP) D2008.9.117 (Eric)

On September 22, 2008, BHP filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on September 26, 2008. Requests for hearing were due by October 27, 2008. No requests have been received. This application will increase revenues by \$112,583 over the base cost of fuel approved in Docket No. 83.4.25. A default order has been drafted. Probable Motion: Grant BHP's Quarterly Fuel Rate Rider application.

2. CenturyTel of Montana, Inc. D2006.10.152 (Gary)

CenturyTel of Montana, Inc. and Bresnan Digital Services, LLC - Interconnection Agreement Amendment

CenturyTel has filed for approval with this Commission an interconnection agreement amendment in the above Docket. This amendment adds a Directory Services Agreement as Amendment 1 to the agreement. This amendment was voluntarily negotiated by the parties involved. Probable Motion: Move to approve the interconnection agreement amendment between CenturyTel of Montana, Inc. and Bresnan Digital Service, LLC in Docket No. D2006.10.152

Work Sessions All items identified below are for Commission discussion or action on the day designated.

10/27/08

1. **10:00 a.m.** - D2008.6.69 and D2008.4.36 – NorthWestern Corporation's Application for Approval of its Interest in Colstrip Unit 4 as an Electricity Supply Resource under Certain Terms and Conditions, including Certain Treatment of Net Operating Losses and PSC Investigation of NorthWestern Corporation's Compliance with Order 6505e – Discuss cases and obtain Commission decisions/direction for drafting final order(s). (10/27/08)
2. **1:00 p.m.** – Inter-carrier Compensation (ICC) – Discuss filing an ex parte with the FCC on the subject of the FCC's imminent decision on ICC and USF reform. Discuss any and all related matters, as necessary. (10/27/08)

10/28/08

3. D2008.8.99 – Qwest Corporation and Cleartech.com, Inc. – Application for Approval of Interconnection Agreement – Discuss and act on the agreement. (10/28/08)
4. D2008.1.6 – PSC Investigation of Qwest Corporation Regarding the Justness and Reasonableness of Rates, Schedules and Terms and Conditions of Service – Consider and act on Staff's request for protective order governing handling of Customer Proprietary Network Information. (10/28/08)
5. D2008.1.6 – PSC Investigation of Qwest Corporation Regarding the Justness and Reasonableness of Rates, Schedules and Terms and Conditions of Service – Consider and accept Qwest's September 19, 2008, amendment to Petition which moves switched and special access as well as additional lines from non-price regulated as requested to price-regulated status (pursuant to Qwest-other carrier's agreement). (10/28/08)
6. Placeholder – D2008.1.6 – PSC Investigation of Qwest Corporation Regarding the Justness and Reasonableness of Rates, Schedules and Terms and Conditions of Service – Consideration of any late motions filed prior to the commencement of hearing on November 5. (10/28/08)
7. D2008.9.110 – Montana-Dakota Utilities Co. – Application for Approval to Revise its Fuel and Purchased Power Cost Tracking Adjustment – Electric Rate 58 and Contract Service Rate 35 – Obtain Commission approval to change the effective date of the fuel and purchased power tracker applicable to all customers from bills rendered to a service rendered basis. (10/28/08)
8. PSC 2008/2009 heating season natural gas heat content (BTU) monitoring program and contracts – Discussion and action on monitoring program and contracts. (10/28/08)
9. N2008.7.81 – NorthWestern Energy – Request for Commission Intervention to Establish a Customer's Payment Arrangement – Request Commission review regarding medical emergency declaration. (10/28/08)
10. Information request – Agency Coordinating Team (ACT) to report back to the Commission in response to direction given on 10/21/08. (10/28/08)

11. **10/31/08 9:00 a.m.** - Placeholder – Continuation of 10/27 work session - D2008.6.69 and D2008.4.36 – NorthWestern Corporation's Application for Approval of its Interest in Colstrip Unit 4 as an Electricity Supply Resource under Certain Terms and Conditions, including Certain Treatment of Net Operating Losses and PSC Investigation of NorthWestern Corporation's Compliance with Order 6505e – Discuss cases and obtain Commission decisions/direction for drafting final order(s). (10/31/08)

Other Meetings

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. NorthWestern Energy D2008.7.88 (Eric D)

On July 29, 2008, NorthWestern Energy (NWE) filed a request for a special permit in order to modify how NWE is required to comply with 49 CFR Part 192.285(c). Section 192.285(c) requires that gas service personnel be qualified to make plastic joints every 12 months. The requested special permit will allow NWE to qualify their gas service personnel to make plastic pipe joints once each calendar year not to exceed 15 months.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

Information Items All items identified below are for information only.

New Filings Received in Past Week

N2008.9.122 – NorthWestern Energy – Request for Commission Intervention to Establish a Customer's Payment Arrangement